

**From:** Olie Echevarria  
**To:** Microsoft ATR  
**Date:** 12/22/01 3:51am  
**Subject:** Against DOJ-Microsoft agreement

To whom it may concern,

As an American, I am now executing my right to free speech and opinion. This opinion is in regards to agreement between Microsoft Corporation, the DOJ and 9 of the 18 states that are suing Microsoft. I regret to inform you that the current agreement that was reached does not go far enough in stopping Microsoft's current behavior. Me, myself, a web developer, and internet user can tell you that there are serious flaws that DOES allow Microsoft to keep its current behavior. Microsoft's proposal is by passing the whole issue why there was a litigation in the first place. They are proposing \$1 Billion dollar donation to schools.

My second issue is, why hasn't Bill Gates and any of his associates who testified, under oath been charged with perjury and contempt of court and falsifying evidence(ie, Professor Felton's computer program that separates the browser from the Operating System)? I urge the courts to please address these issues. Microsoft because of it's financial and corporate status in the United States of America should have no bearing or influence whatsoever!

For example, the agreement fails to address fully the browser issue, the whole reason why the case started. Users will still not be able to have a choice on what browser they will want to use. As a former PC user, I can tell you that there is no choice on what I can use for a browser, except ONE, Internet Explorer, of which I consider a inferior product compared to Netscape, Opera, Mozilla, etc. Try going to Circuit City or CompUSA and ask for a PC with Netscape or Opera preloaded, I can attest to you that you will not find ANY, only Internet Explorer! Yet Microsoft will tell you they are all for competition and choice, but only their choice and terms not yours, the consumer. If they are for choice and competition, then I urge you to force them to allow OEMs to include rival software that will compete based on technical merits and not marketing merits.

Secondly, my second argument comes from their behavior in the market place in terms of their End User License Agreement. According to their "EULA," their software is deemed: "As is" meaning if their software blows up your machine, they are not liable to damages. I urge the courts to have

Microsoft modify their EULA so that if a consumer who buys a PC and DOES NOT want or to use the Microsoft OS, that they be allowed to return the software to Microsoft and as a result, the consumer be allowed to obtain a full refund based on the full market retail price of the Microsoft software bundled/included.

Third, I would have them open up their source code to Internet Explorer, force Microsoft to license their Office suite to 5 platforms and not two(Windows and Macintosh).

Lastly, have them modify the EULA so that includes a clause that holds Microsoft liable for ANY security related defects in their software that they tout as "the most secure" ever. As of right, their software is labled as, "As is." Microsoft has a history of telling the public their software is secure and robust and when it comes to enterprise level computing, they fail in that arena.

I urge you, the courts to review their proposal and I urge the courts to find another solution since the current proposal does not go far enough to even come close to finding the correct remedy to impose on Microsoft. With the opinions states above, I urge the courts to look my remedy objectively and I hope that my proposal is good.

Thank you,

Your fellow countrymen,

Orlando Echevarria